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ABSTRACT

The executive summary of the ninth annual report to Congress examines progress made in implementing the requirements mandated by P.L. 94-142, the Education of the Handicapped Act, as amended by P.L. 98-199 with a specific focus on activities during the school year 1985-86. Data are presented regarding the four major purposes of the Act: (1) to assure that all handicapped children receive a free appropriate public education; (2) to assure that the rights of handicapped children and their parents or guardians are protected; (3) to assist states and localities in educating all handicapped children; and (4) to assess and assure the effectiveness of programs educating handicapped children. Information is summarized according to the following subcategories: number of students served, related services received, least restrictive environment, personnel employed and needed, the number of handicapped youth who exited special education services, anticipated service needs of students exiting the system, services in need of improvement, implementation of due process requirements, entitlement and discretionary monies, expenditures, and program effectiveness and evaluation. (DB)

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" TO ASSURE THE FREE APPROPRIATE PUBLIC EDUCATION OF ALL HANDICAPPED CHILDREN"

Education of the Handicapped Act, Section 618, as amended by Public Law 98-199

Ninth Annual Report to Congress on the Implementation of The Education of the Handicapped Act

Executive Summary

U.S. Department of Education

1987

EC 200551

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Executive Summary

This Ninth Annual Report to Congress examines the progress being made to implement the requirements mandated by the Education of the Handicapped Act (EHA), P.L. 94-142, and its subsequent amendments. The purposes of the Act, as stated in Section 601 (c), are

(1) to assure that all handicapped children have available to them a free appropriate public education,

(2) to assure that the rights of handicapped children and their parents are protected,

(3) to assist States and localities to provide for the education of all handicapped children, and

(4) to assess and assure the effectiveness of efforts to educate handicapped children.

This report provides a detailed description for the 1985-86 school year of the activities undertaken to implement the Act and an assessment of the impact and effectiveness of its requirements. The following sections provide brief summaries of the information presented in the body of this report.

Students Receiving a Free Appropriate Public Education

Number of Students Served

The States reported that 4,370,244 handicapped children received special education and related services under Chapter 1 of the Education Consolidation and Improvement Act - State Operated Programs (ECIA (SOP)) and EHA-B during school year 1985-86. Only about 7,000 more students were served in 1985-86 than had been served in 1984-85. This is the smallest annual increase in the number of handicapped children and youth receiving special education and related services since the enactment of P.L. 94-142. As a percentage of school enrollment, the number of handicapped children served decreased slightly between 1984-85 and 1985-86 from 11.19 percent to 10.97 percent; this was the first decrease in the proportion served since child count data have been collected from the States.

The proportion of children served by age group under EHA-B did not change markedly between 1984-85 and 1985-86. Children aged 6 through 11 represented 48 percent of students receiving special education and related services under EHA-B, students aged 12 through 17 represented 41 percent. The number of students aged three through five served represented 6.3 percent of students receiving special education and related services. The number of 18 to 21 year

olds served under EHA-B has continued to increase at a greater rate than the overall 3 through 21 year old handicapped population. Between 1984-85 and 1985-86, the number of 18 to 21 year old students receiving special education and related services increased 2.2 percent, from 2.6 to 4.8 percent; the increase for the all students served under EHA-B was 0.2 percent. Children aged three to five represented about 6 percent of the students served, an increase of .6 percent.

In 1985-86, all States reported the number of children and youth served under EHA-B by individual age years. The number of children served increased steadily from age three to eight. The number served peaked at age 8 and slowly declined from there until age 14 when there was a slight increase. At age 15, the number of children served decreased rapidly as handicapped youth began to leave school.

When the proportion of students served under Chapter 1 of ECIA (SOP) and EHA-B is examined by handicapping condition, some changes are observed from the previous school year. Learning disabled children presently account for 42.8 percent of all children receiving special education and related services. The number of children reported as learning disabled grew only 1.8 percent over the last 2 years. The number of children reported as mentally retarded decreased by 4.4 percent; currently, mentally retarded children account for 15.7 percent of all handicapped children served. Emotionally disturbed children account for 8.6 percent of the students served; the number of children classified as emotionally disturbed increased 1.0 percent over the past 2 years.

Hard of hearing and deaf children account for 1.6 percent of the handicapped students served while visually handicapped and deaf-blind children each account for less than 1 percent of the population. The number of children categorized as hard of hearing and deaf, and the number of visually handicapped students each decreased by 4 percent from 1984-85 to 1985-86 while the number of deaf-blind children increased by 7.0 percent over the same period. Multihandicapped students constitute 2.1 percent of the students served; this was an increase of 25 percent in the number of children served over the number served in 1984-85.

Related Services Received

Information was reported by the States for the first time on the number of related services received by handicapped children during the 1984-85 school year. Nearly 5.8 million related services were provided to the 4.4 million handicapped children and youth who received special education and related services. Transportation was the most prevalent related service provided with over 1 million students receiving this service. Diagnostic services and psychological services were each provided to about three-fourths of a million students. The number of related services provided to students varied depending on the severity of the handicapping condition. For example, an average of more than 10 related services was provided to each deaf-blind student while speech or language impaired children received an average of one related service for each child counted.

Least Restrictive Environment

During the 1984-85 school year, the majority of handicapped children received special education and related services in settings with nonhandicapped students. Nearly 27 percent received special education in regular classes, 42 percent received services in resource rooms, and nearly 24 percent were placed in separate classes within regular education buildings. Significant variation in placement patterns existed among the various handicapping conditions. For example, while most learning disabled and speech or language impaired students were served in regular classes or resource rooms, over 50 percent of mentally retarded students were placed in separate classes.

Personnel Employed and Needed

States reported that the number of special education teachers employed increased between 1983-84 and 1984-85. Adjusting for the differences in reporting requirements for these years, the number of special educators increased from 268,629 to 274,519, an increase of 2 percent compared with a 0.5 percent increase in the number of students served under Chapter 1 of ECIA (SOP) and EHA-B during the same period.

Categories of special educators that increased included teachers of the mentally retarded, learning disabled, emotionally disturbed, multihandicapped, speech impaired, hard of hearing and deaf, and other health impaired. Categories that decreased were teachers of the orthopedically impaired, the visually handicapped, and the deaf-blind.

States and Insular Areas reported that 22,852 additional teachers were needed to fill vacancies and replace uncertified staff. The categories of special education teachers reported by States as the most needed paralleled the relative prevalence of handicapping conditions. States reported that the greatest proportional increase needed was for teachers to serve learning disabled, mentally retarded, emotionally disturbed, and speech or language impaired students. These four categories accounted for 84 percent of all teachers needed and 93 percent of students served under Chapter 1 of ECIA (SOP) and EHA-B.

The number of personnel other than special educators employed in 1984-85 was 219,737. This represented an increase of 7 percent over the count reported in 1983-84. States reported an increase of 8,144 staff other than special educators was needed to fill vacancies and replace uncertified staff. In proportion to the number of personnel employed, physical therapists and occupational therapists were the most needed personnel, followed by SEA supervisors and administrators.

The Number of Handicapped Youth Who Exited

Data on handicapped students exiting from school was collected for the 1984-85 school year and is reported for the first time in this report. A total of 212,000 handicapped students 16 years and older were reported to have exited the educational system. Of this total, 39 percent graduated with a diploma, 15 percent graduated with a certificate of completion, 4 percent reached the maximum age for services, 21 percent dropped out, and 18 percent either left for other reasons or the reason for exit was unknown. Though significant variation existed among States, these data demonstrate that a large number of handicapped youth received diplomas. The drop-out rate was significant particularly for the emotionally disturbed population who have a drop-out rate of 29 percent.

Anticipated Services

Under the 1983 Amendments to EHA, OSEP is providing data to Congress for the first time on the services students exiting the educational system are anticipated to need in the following school year. Based on the responses from 50 States and Insular Areas, approximately 461,000 transitional services were anticipated to be needed in 1985-86. The largest number of services needed were vocational/training services followed by counseling/guidance and vocational placement services. The type of services anticipated to be needed differed greatly by handicapping condition. States reported 34,751 students needing no services.

Comparing these data with the data on the number of students exiting the educational system, about two services were found to be anticipated per student. Not unexpectedly, the learning disabled and speech impaired students needed the fewest services per pupil, about one per student. The deaf-blind and multihandicapped students were believed to need the most transitional services per pupil, 7 and 6, respectively. For all of the exiting students, about one-third were anticipated to need counseling and guidance, vocational/training services, and vocational placement. About one quarter were in need of evaluation for vocational rehabilitation services.

While these data were largely estimated by the States, they provide the first nationwide information concerning services that adult service agencies will need to provide to exiting students.

Services in Need of Improvement

The number of children and youth with handicaps needing improved services were reported for the 1984-85 school year by 51 States and Insular Areas. Almost 450,000 students were reported as needing improved services. Of the total number of students served under Chapter 1 of ECIA (SOP) and EHA-B in 1984-85, 12.3 percent were in need of improved services. Learning disabled and speech or language impaired students were least likely to need improved services while the severely handicapped were most in need of improved services. When the data on children needing improved services by age group is compared to the EHA-B child

count by age group, the 18 to 21 year old age group was most in need of improved services followed by the three to five year old age group.

The number of States indicating a need for various types of improved services were:

- instructional programs - 43 States;
- vocational education - 42 States;
- assessment - 34 States;
- instructional settings - 32 States;
- evaluation - 27 States; and
- physical education programs - 23 States.

The related services most frequently indicated as needing improvement included physical therapy (39 States), occupational therapy (37 States), psychological services (33 States), and parent/training (32 States).

Several areas of concern were evident in the descriptions provided by the States of the specific improvements needed for special education programs and services. These areas of improvement were personnel training and availability; preschool programs; transitional programs; programs for specific handicapping conditions; evaluation and assessment; rural special education; and interagency cooperation.

The Implementation of Key Provisions of the Act Assuring the Rights of Handicapped Children

The key provisions of EHA provided an unprecedented opportunity for parents and schools to join together in a partnership to plan, implement and evaluate educational programs for children with handicaps. Since the enactment of EHA there has been a steady expansion of parent and disability organizations and coalitions; these groups provide the knowledge, skills, and support necessary for parents to participate as full partners with schools in their children's education. National information networks have been established with Federal funding to support these efforts and to provide families and students with information on programs and services. As parents over the last 10 years have assumed their rights and opportunities under EHA-B, they have worked extensively to create effective partnerships with their children's schools. This experience has been characterized by significant variability in the willingness and capacity of schools and parents to cooperatively identify, address, and resolve the needs of children with handicaps. While the due process requirements of EHA have been implemented and provide a means for resolving disputes between schools and parents, unanticipated fiscal and personal costs have sometimes resulted. Consequently, State and local educational agencies have established supplementary opportunities such as mediation prior to due process hearings to enable schools and parents to resolve disputes in a less costly manner.

Assisting States and Local Agencies in Educating All Handicapped Children

Entitlement and Discretionary Monies

Federal, State and local use of entitlement and discretionary monies authorized under EHA have resulted in developing effective models and approaches for addressing the complex program and service needs associated with early intervention, preschool programs, integration of regular and special education services, and provision of transitional services. These advances have the potential for significantly improving current practice. The continuing challenge is to hasten the transfer of these models and approaches to teacher training and direct service programs.

Expenditures

The 1984-85 annual data reports included a data requirement, mandated by Section 618 of the EHA Amendments of 1983, that States report funds expended for special education and related services during school year 1982-83; these funds expended were to be all costs associated with providing special education and related services to handicapped children and youth that are above and beyond the costs of providing regular education programs to nonhandicapped students.

For 1982-83, the States and Insular Areas reported spending almost $12 billion dollars on special education and related services. About 8.5 percent of these monies were attributed to Federal sources, about 54 percent to State sources and about 38 percent to local sources. Approximately 60 percent of the total was expended for special education programs; 40 percent was expended for related services. Per pupil expenditures for all children served under Chapter 1 of ECIA and EHA-B, ranged from $679 to $5,970. The average per pupil expenditure was $2,788.

Federal sources funded between 1.2 percent and 75 percent of total expenditures for special education and 2 to 66 percent for related services. According to data provided by 39 States, expenditures from State sources for special education ranged from 24 percent to about 88 percent, and expenditures for related services ranged from about 12 percent to 86 percent. Responses from these States indicated that expenditures from local sources for special education ranged between 4 and 66 percent; for related services, the range was from 4 to 79 percent.

Efforts to Assess and Assure the Effectiveness of Programs Educating Handicapped Children

Federal and State efforts to monitor compliance with statutes, regulations, and administrative policies governing the education of handicapped children are characterized by improvements in the precision and continuity of their procedures. Federal monitoring efforts have been strengthened by integrating a wider and more extensive base of State information for reviewing not only the substance but also the outcomes associated with specific policies. State educational agencies are continuing to expand their monitoring efforts to assure continuous oversight of Statewide implementation of EHA-B. This progression from intermittent to continuous monitoring is evidenced in the SEAs' increased use of information obtained from local applications, complaint management systems, due process hearings, annual data reports, on-site visits, and public comment for purposes of assessing and assuring compliance. While the State educational agencies continue to enhance the overall effectiveness of their monitoring procedures, the general supervision requirements persist as a significant challenge. Federal, State, and local efforts to assess the impact and effectiveness of programs and services provided to children with handicaps is evidenced in their program evaluation activities. These evaluation activities are increasingly drawing attention to school and pupil performance, and the findings are being utilized for both program improvement as well as to better establish school and student accountability.